

Citizenship Education in the Public Schools and the Boy Scouts of America

**An Honors Thesis (HONR 499)**

**by**

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March 2013

**Expected Date of Graduation**

May 2013

Undergrad  
Thesis  
LD  
2489  
.Z4  
2013  
.M38

### Abstract

Societies are composed of one or more sets of norms for interpersonal interactions. These norms differ from society to society, but the need for an institution within which to socialize children and young adults into the norms of their society does not differ. The family has been the primary institution for this socialization, but it has been joined in the past three centuries by other institutions. In the United States and Great Britain, public schools and the Boy Scouts became socializing institutions which supplement the family in turning children into good citizens. The language surrounding the founding of each made the purpose of these institutions clear. An examination of the history of each will show a change in their attitudes toward their purpose. The societal norms within which these institutions exist have changed and the Boy Scouts in particular have resisted changing the norms they socialize.

### Acknowledgements

I would be negligent if I did not thank and honor Dr. Nicole Etcheson for her help with this article. My initial concept was tangentially related to this topic, but Dr. Etcheson guided me toward a more refined and focused thesis. I would not have had nearly as strong a paper without her guidance and I humbly thank her.

### Author's Statement

The public school teachers I studied under in high school pushed me to understand more about the world. My scoutmaster taught me to be honest and respectful of others, whether I agree with them or not. This paper is my attempt to apply my knowledge of historical methodology to respectfully understand and discuss two cultural institutions in United States that had profound effects on both my worldview and my character. Through the research necessary to complete this paper, I came to a deeper understanding of the histories of these institutions and my small role within them.

The Boy Scouts of America's (BSA's) organization during a transition in American culture defined how it would pursue its goal of bettering the lives of young men by inculcating moral and masculine character. Public education in the United States was initially designed to reinforce moral education from parents and equip “every citizen who is worth a few shillings” to perform their civic duties. Each institution's definition of what constitutes proper moral training and citizenship has been a point of contention between groups who do not conform to the norm and desire an equal place in the institution.

The BSA and world Scouting movement are an unintentional result of a military manual written by Colonel Robert Baden-Powell called *Aids to Scouting* in 1899. Baden-Powell had written *Aids* to train his military scouts who ‘had little knowledge of how to...read the signs of nature, to take independent action when an officer wasn't present to give commands, or simply to take care of themselves in the outdoors.’<sup>1</sup> Baden-Powell and *Aids* would have remained in obscurity except for his command during the Siege of Mafeking in the Boer War. Though outnumbered, Baden-Powell defended the South African trading town using regular soldiers and organized local youths to gather intelligence and carry messages out of the town. Baden-Powell's cheerful messages of British success while other British forces were welcome news in England. Upon returning to England, Baden-Powell was celebrated, discovering that *Aids to Scouting* had become popular with young boys when the magazine *Boys of the Empire*, began serializing it in 1900 under the title ‘the Boy Scout.’<sup>2</sup> Baden-Powell organized the Boy Scouts ‘[T]o help in making the rising generation, of whatever class or creed, into good citizens at home or for the colonies.’<sup>3</sup>

1 Willis, Chuck, Boy Scouts of America: A Centennial History (New York, New York, 2009). 28.

2 Willis, Boy Scouts of America, 31.

3 Ibid.

As it had in Britain, *Aids to Scouting* inspired boys in the United States to form groups of scouts, called troops, but no national organization existed until publisher W.D. Boyce convened representatives of established character-building organizations to form the BSA in 1910. Boyce's introduction to the movement was accidental: Boyce was unable to navigate a thick London fog when he was aided by a young man who refused to accept money in thanks. Learning the boy was a scout, Boyce went to the organization's office to learn more. During a trip to Africa, he decided to import the organization, stating 'We intend to take the British idea and Americanize it.'<sup>4</sup> Filing incorporation papers for the BSA in February 1910, Boyce declared the BSA's intention 'to promote...the ability of boys to do things for themselves and for others...and to teach them patriotism, courage, self-reliance and the kindred virtues.'<sup>5</sup> The group of men Boyce brought together distinguished their organization from Baden-Powell's by incorporating American icons.

Boyce contacted Ernest Thomas Seton, the leader of a group called the Woodcraft Indians, for aid in organizing the BSA. Seton's philosophy for the group combined his love of nature,<sup>6</sup> idealization of Native Americans' living in harmony with nature and G. Stanley Hall's 'instinct psychology.'<sup>7</sup> In accordance with Hall's theories, the Woodcraft Indians allowed young men to constructively express the instincts that had been implanted in them by previous civilizations, through miming those civilizations' customs, in order to achieve the instincts of more advanced civilizations. Seton idealized the Native American lifestyle, proposing "a Red Lodge for men to learn the 'spirit of Indian religion,'"<sup>8</sup> and Tecumseh as the epitome of that character: 'a great leader, clean...strong...fearless...and friendly.'<sup>9</sup>

4 Willis, Boy Scouts of America, 37.

5 Ibid.

6 David I. Macleod, Building Character in the American Boy: The Boy Scouts, YMCA and Their Forerunners 1870-1920 (Madison Wisconsin, 1983), 131.

7 Ibid.

8 Ibid.

9 Willis, Boy Scouts of America, 22.



A friend of Seton's whom Boyce also contacted, Daniel Carter Beard, lead a boys' work organization that idealized 'the pioneer scout,'<sup>10</sup> the Sons of Daniel Boone. Beard boasted his organization's "'soul" was "essentially American. We play American games and learn to emulate our great American forebears in lofty aims and iron characters."'<sup>11</sup> Though spread through magazines as the British scouting program had, the Sons of Daniel Boone could not endure because it lacked adult leadership.<sup>12</sup>

Adult leadership for the BSA came from another British organization, the Young Men's Christian Association (YMCA). Organized in 1844 by a group of Englishmen seeking to 'keep their faith unsullied by the city,'<sup>13</sup> the YMCA did not involve itself in boys' work until the 1880s and viewed boys' work as a feeder program for their organization. The YMCA's programs for young men were based on a 'fourfold program'<sup>14</sup> promoting the 'spiritual, mental, social and physical' growth of members.'<sup>15</sup> The YMCA's comprehensive character development would be reflected in the BSA's addition of three guidelines to the British Scout Oath: that a scout be 'physically strong, mentally awake and morally straight'<sup>16</sup>

Boyce, Seton, Beard and YMCA representatives gathered members for the BSA, YMCA members, Woodcraft Indians and Sons of Daniel Boone. A national Committee on Organization was created in June 1910 merging the Woodcraft Indians, Sons of Daniel Boone, and small scouting organizations, into the BSA.<sup>17</sup> In October 1910 the Committee on Organization turned over executive power to a permanent Board of Managers, now known as the National Council.<sup>18</sup>

10 MacLeod, Building Character in the American Boy, 132.

11 Ibid.

12 Ibid.

13 MacLeod, Building Character in the American Boy, 72.

14 MacLeod, Building Character in the American Boy, 73.

15 Ibid.

16 Project Gutenberg, Boy Scout Handbook 1911, <http://www.gutenberg.org/files/29558/29558-h/29558-h.html>, Accessed 10 April 2011.

17 Willis, Boy Scouts of America, 38.

18 Willis, Boy Scouts of America, 40.

Seton created an initial pamphlet canonizing the BSA's Americanized ideology using material from his *Birch-Bark Roll of Woodcraft Indians* and Baden-Powell's manual *Scouting for Boys*.<sup>19</sup> The BSA's first official *Handbook for Boys*, published in 1911, codified the BSA's beliefs in the scout oath and scout law. The oath bound the scout to 'do my best: to do my duty to God and my country, and to obey the scout law...to keep myself physically strong, mentally awake, and morally straight.'<sup>20</sup> Reminiscent of Seton's description of Tecumseh, the scout law outlined the character of a scout as 'trustworthy, loyal, helpful, friendly, courteous, kind obedient, cheerful, thrifty, brave, clean, and reverent.'<sup>21</sup> The oath and law are taught to every scout, forming the foundation of the BSA's narrative of citizenship.

The BSA's narrative of citizenship must be examined within the cultural context of an urbanizing United States. Fredreck Jackson Turner's pronouncement of the end of the frontier defined this cultural shift's affects on masculine character norms. Turner asserted, 'the advance of American settlement westward, explain[s] American development,' in government and character, placing great value on 'the existence of an area of free land.'<sup>22</sup> Turner credited the unique 'fluidity of American life' to the ability to perpetually expand it had enjoyed until recently, saying that expansion and contact with Native Americans 'furnish the forces dominating American character.'<sup>23</sup> This situation changed in Turner's generation, the first to 'look back upon [expansion] as a historic movement now coming to its end.'<sup>24</sup> Previous generations had 'their most fundamental traits, their institutions, even their ideals'<sup>25</sup> shaped by

19 Willis, *Boy Scouts of America*, 40.

20 Project Gutenberg, *Boy Scout Handbook 1911*, 10 April 2010.

21 Ibid.

22 Project Gutenberg, *The Project Gutenberg eBook of The Frontier in American History by Fredreck Jackson Turner*, <http://www.gutenberg.org/files/22994/22994-h/22994-h.htm>, Accessed 10 April 2010.

23 Ibid.

24 Ibid.

25 Ibid.

their interaction with the wilderness. The environment many in Turner's generation interacted with was urban, necessitating new lifestyles and a redefinition of American character.

In his book *This Fleeting World*, David Christian periodized human history based on how the majority of people acquired their sustenance, distinguishing between foragers, farmers and wage laborers, and the effects on society the changes had. The process of change from an agrarian to an urbanized society forced American men to examine how employment, rather than self-sufficiency affected their definitions of masculine character. Men in cities did not tame of the frontier as the work of their fathers and idols like Daniel Boone had, rather urban life offered 'soft living and salaried dependence,'<sup>26</sup> the threat of being 'a lifelong employee – an affront to traditional notions of manly independence.'<sup>27</sup> President Theodore Roosevelt believed the transition to urban life led to 'the over-civilized man, who has lost the great fighting, masterful virtues' and urged others 'to seek the "strenuous life"' for their children.<sup>28</sup> The BSA sought to improve the character of American youth by giving them a taste of the 'strenuous life' while inculcating the traits they deemed necessary for a good citizen.

The founding of the BSA was shaped by cultural context, as was the founding of the first public schools in the United States. Public schools were instituted to reinforce morality taught in homes and have generally retained that aim. Puritans town schools were seen as 'a way to keep religious orthodoxy alive, promote social harmony, encourage hard work and spread the Christian faith.'<sup>29</sup> Schools' faculty for 'promoting social harmony' was utilized to reinforce the new American republic when Thomas Jefferson, Benjamin Rush and Noah Webster 'proposed the creation of state systems of public schools that would teach "republican values" and encourage loyalty to the new nation.'<sup>30</sup> Jefferson promoted public schools' ability to enable

26 Macleod, Building Character in the American Boy, 46.

27 Ibid.

28 Macleod, Building Character in the American Boy, 45.

29 Edward McClellan, Moral Education in America: Schools and the Shaping of Character from Colonial Times to the Present, (New York, New York, 1999), 2.

30 McClellan, Moral Education in America, 12.

citizens to ‘choose leaders wisely, defeat ambition and corruption in politics, and protect liberty by keeping a vigilant eye on government.’<sup>31</sup> Rush hoped ‘the whole state will be tied together by one system of education,’<sup>32</sup> making ‘men into republican machines.’<sup>33</sup> Webster asserted ‘an acquaintance with ethics...is necessary for the yeomanry of a republican state.’<sup>34</sup> Though their proposals would be dismissed for decades, Jefferson, Rush and especially Webster’s views would be adopted in the early nineteenth century.

When reformers convinced states to establish public schools they appealed to a fear of social unrest. Politicians in the antebellum nineteenth century worried about ‘urban disorder and cultural cacophony’<sup>35</sup> caused by immigrants and migration to cities. Their response was ‘getting all white children...into one uniform system [of education] and imparting to them similar values’<sup>36</sup> in the hopes of ‘molding them for the places they are to fill’<sup>37</sup> by inculcating the morality of the majority culture. In order to instill this Protestant morality ‘there had to be some way to have religion in the schools.’<sup>38</sup>

The Second Great Awakening presented a challenge to establishing a uniform system of moral education in public schools and the solution to that challenge. A movement toward nonsectarian Christianity set aside doctrinal differences to teach a moral code in schools that presented ‘a strong consensus on Christian values’ while trying ‘to preserve the rights of individuals to hold to their particular sectarian doctrines.’<sup>39</sup> This consensus was meant to ensure that values Protestants agreed upon would be reinforced by the schools while each sect could present their theology elsewhere. Sectarian Sunday schools aided public schools in moral

31 Carl F. Kaestle, Pillars of the Republic: Common Schools and American Society 1780-1860 (New York, New York, 1983), 6.

32 Kaestle, Pillars of the Republic, 9.

33 Kaestle, Pillars of the Republic, 8.

34 Kaestle, Pillars of the Republic, 5.

35 Kaestle, Pillars of the Republic, 69.

36 Kaestle, Pillars of the Republic, 156.

37 Kaestle, Pillars of the Republic, 81.

38 Kaestle, Pillars of the Republic, 98

39 McClellan, Moral Education in America, 33.

education but the weekly nature of Sunday schools meant many ‘never believed it could serve as more than an adjunct in the task of moral education,’<sup>40</sup> where the daily public schools were the ‘primary support for the early educational efforts of the family’<sup>41</sup> in both academic and moral matters.

Duty to God and ‘reverence for religion’<sup>42</sup> are enduring elements in Scouting’s narrative of citizenship. The BSA’s 1911 *Handbook for Boys* proposes that ‘no boy can grow into the best kind of citizenship without recognizing his obligation to God,’<sup>43</sup> however it also stated the BSA was ‘absolutely non-sectarian,’<sup>44</sup> preferring that the scout’s religious organization attend to ‘his religious life.’<sup>45</sup> The only religious requirements of scouts were that they believe in God and respect the beliefs of others. Though a relatively inclusive policy, the involvement of the YMCA in the founding of the BSA and the requirement that scouts believe in God would lead to conflicts between the Scouts, the Catholic and Mormon churches, and atheists and agnostics.

The Catholic and Mormon churches initially barred their young men from joining the BSA despite the BSA’s relatively inclusive policy on religion. The Catholic Church objected to BSA membership out of a concern for the ideological purity of their young men. The BSA was perceived to have close ties to the YMCA, ‘then a staunchly protestant organization,’<sup>46</sup> despite the BSA’s statement in 1910 that they were ‘not organically related in any way to the Young Men’s Christian Association.’<sup>47</sup> When the Catholic Church relented in 1917, it was under the provision “‘there shall be distinctly Catholic troops under a Catholic Scoutmaster, and...a Chaplain appointed by the ecclesiastical authority for each troop.’”<sup>48</sup> This restriction has since

40 McClellan, Moral Education in America, 22.

41 Ibid.

42 Project Gutenberg, *Boy Scout Handbook 1911*, 10 April 2010, 249.

43 Project Gutenberg, *Boy Scout Handbook 1911*, 10 April 2010, 250.

44 Ibid.

45 Ibid.

46 Willis, Boy Scouts of America, 44

47 Ibid.

48 Willis, Boy Scouts of America, 45

been lifted and ‘almost 10,000 Catholic parishes...were involved in Scouting in some way’ at the turn of the twenty-first century.<sup>49</sup>

The Mormon Church’s decision to bar their young men from joining the BSA may seem surprising, considering the current demographics of the BSA in which twenty-one percent of scouts are Mormons,<sup>50</sup> however only examining the current demographics would overlook the context in which the decision was made. In 1910, the Mormon Church maintained their own character-building organization, the Young Men’s Mutual Improvement Association<sup>51</sup> and saw no need to risk doctrinal conflict with the Scouts. Some parents enrolled their sons in both the BSA and the Mutual Improvement Association, totaling an estimated 13,000 young men who were members of both groups by 1913.<sup>52</sup> That year a meeting between the BSA and the Mormon Church led to the Church encouraging its young men to join the BSA.<sup>53</sup>

Though many religious groups have joined the BSA, BSA policy excludes atheists and agnostics from membership due to of their lack of belief in God. This policy was the subject of *Welsh v. The Boy Scouts of America*, a 1993 case decided by the United States Court of Appeals for the Seventh Circuit. Mark Welsh challenged that the BSA was ‘place of public accommodation practicing unlawful religious discrimination under Title II of the Civil Rights Act of 1964’<sup>54</sup> based on the BSA’s refusing his son membership because ‘he refused to comply with [the BSA’s] Constitution and By-laws and affirm his belief in God.’<sup>55</sup> The Court decided that ‘Congress when enacting [the Civil Rights Act] never intended to include membership

49 Willis, *Boy Scouts of America*, 45.

50 Ibid.

51 Ibid.

52 Willis, *Boy Scouts of America*, 46

53 Ibid.

54 US Court of Appeals for the Seventh Circuit, *Welsh v. Boy Scouts of America*, [www.bsalegal.org/downloads/welsh\\_seventh\\_circuit.pdf](http://www.bsalegal.org/downloads/welsh_seventh_circuit.pdf), 10 April 2011, 2.

55 US Court of Appeals for the Seventh Circuit, *Welsh v. Boy Scouts of America*, 10 April 2011, 1.

organizations that do not maintain a close connection to a structural facility,<sup>56</sup> thus because individual BSA troops do not, Title II of the Civil Rights Act did not apply to the BSA. While the BSA is protected in practicing its exclusionary policies, the same would not be true of public schools, though the expression of religious creeds has been a point of litigation for both.

The movement toward nonsectarian Christianity persuaded many Protestant sects to endorse a consensus version of Christianity, but the United States was experiencing an influx of immigrants during the nineteenth century that prompted reformers to call for changes in school traditions regarding moral education. The nonsectarian moral education created during the Second Great Awakening involved reading from the King James translation of the Bible,<sup>57</sup> which was widely used by Protestants, ‘without offering any interpretation or gloss’ but not the Douay translation used by the Catholic Church which was studied ‘only in the light of other teachings of the church.’<sup>58</sup> Some schools allowed the use of the Douay translation,<sup>59</sup> but the differences in usage customs between the Catholic Church and the nonsectarian public schools eventually led to the creation of the Catholic parochial school system parallel to the public schools.<sup>60</sup> The issue of how the Bible was to be read in schools would be settled in 1963 with the Supreme Court’s verdict in *Abington Township School District v. Schempp*, in which the Court ruled devotional reading of the bible in public schools unconstitutional.<sup>61</sup> *Schempp* signaled a nadir in the prominence of moral education in public schools as teachers wagered ‘even purely secular education in the realm of values might violate constitutional standards.’<sup>62</sup> Moral education became less prevalent than citizenship education, with the emphasis shifting from a student’s relationship with God to a relationship with the state.

56 US Court of Appeals for the Seventh Circuit, *Welsh v. Boy Scouts of America*, 10 April 2011, 1.

57 McClellan, *Moral Education in America*, 35.

58 McClellan, *Moral Education in America*, 37.

59 McClellan, *Moral Education in America*, 36.

60 McClellan, *Moral Education in America*, 38.

61 McClellan, *Moral Education in America*, 77.

62 Ibid.

Duty to country, the second requirement of the Scout oath, has connotations of military service that have dissuaded some parents from allowing their sons to join the BSA. The military nature of *Aids to Scouting* combined with, by Baden-Powell's admission 'a very large proportion of our boys who have let us have gone into the service,'<sup>63</sup> led some to infer that the BSA was a feeder program for the military. The first BSA uniform's strong resemblance to the US Army's, the military drilling and firearms training of William Randolph Hearst's unassociated American Boy Scouts, and the reliance on the military backgrounds of some untrained troop leaders, called 'scoutmasters,' did nothing to dispel those perceptions. The original *Handbook* frames a scout's duty to country as 'to be useful and to help others. He must be prepared at any time to save life or to help injured persons.'<sup>64</sup> Those who believed the BSA was a military training ground would find firearms denounced as an 'irresistible weapon of wholesale murder' that 'spreads terror as well as death' and the reason 'America has lost so many of her fine game animals.'<sup>65</sup>

The BSA was a focus of conflict over whether America should prepare for military involvement in Europe before the outbreak of the First World War. While pacifist parents prevented their sons from joining the BSA believing their "'boys would graduate from Scouting to the Army,'"<sup>66</sup> some members of the BSA believed the organization to be working against the military. Chief Scout Citizen and former President Theodore Roosevelt stated, "'certain [BSA] leaders...have used the Boy Scouts organization as a medium for the dissemination of pacifist literature and...as a propaganda [sic] for interfering with the training of our boys to a standard of military efficiency.'"<sup>67</sup> In hopes of ending the dispute the BSA stated, "'The Boy Scouts Movement neither promotes nor discourages military training.'"<sup>68</sup> The BSA is not a subsidiary of the US military, but the sense of duty and service to others instilled by the BSA may

63 Willis, *Boy Scouts of America*, 51.

64 Project Gutenberg, *Boy Scout Handbook* 1911, 10 April 2010, 351.

65 Project Gutenberg, *Boy Scout Handbook* 1911, 10 April 2010, 75.

66 Willis, *Boy Scouts of America*, 51.

67 Willis, *Boy Scouts of America*, 57.

68 Ibid.



contribute to the tendency of military service among former scouts Baden-Powell acknowledged in 1911.<sup>69</sup>

Public schools have faced similar accusations of improperly encouraging military service among young men due to their partnerships with the Junior Reserve Officers' Training Corps (JROTC). The JROTC was established in 1916 by the National Defense Act<sup>70</sup> 'to instill in students in United States secondary educational institutions the values of citizenship, service to the United States, and personal responsibility and a sense of accomplishment.'<sup>71</sup> While there are many enthusiastic supporters of the armed forces, there have also been objections to the JROTC's presence in high schools. One objection in 1937 labeled the JROTC's influence on schools 'a certain drift in the direction of fascist regimentation,'<sup>72</sup> despite assurances from JROTC officials that 'No boy who enrolls agrees in any way (sic) to military obligations that are not required of any citizen.'<sup>73</sup> Claims of 'fascist regimentation' may be hyperbolic, but there is dissonance between the Christian morality presented in public schools and military service because 'the military is an instrument of violence controlled by the state,'<sup>74</sup> which is necessarily incompatible with a non-violent morality. Military forces are necessary to the survival of a state and the defense of its institutions, but must not undermine those institutions through training that asks 'uncritical conditioned responses'<sup>75</sup> from citizens 'keeping a vigilant eye on government.'<sup>76</sup> The JROTC and Jeffersonian theorists agree that public schools' 'chief end is to make GOOD

69 Willis, *Boy Scouts of America*, 51.

70 Johnson, Edwin C., *The Junior R.O.T.C. Knocks at the High-School Door, The Clearing House*, Vol. 11, No. 8 (Apr., 1937), 460

71 US Code Title 10, Subtitle A, Part III, Chapter 102, § 2031, [http://www.law.cornell.edu/uscode/html/uscode10/usc\\_sec\\_10\\_00002031----000-.html](http://www.law.cornell.edu/uscode/html/uscode10/usc_sec_10_00002031----000-.html), accessed 23 April 2011.

72 Johnson, *The Junior R.O.T.C. Knocks at the High-School Door*, 464.

73 Johnson, *The Junior R.O.T.C. Knocks at the High-School Door*, 462.

74 Boyer, William H., *Military Values Analyzed: Junior ROTC: Militarism in the Schools, The Phi Delta Kappan*, Vol. 46, No. 3 (Nov., 1964), 118.

75 Boyer, *Military Values Analyzed*, 120

76 Kaestle, *Pillars of the Republic*, 6

CITIZENS,’<sup>77</sup> but the dissonance between the Jeffersonian ideal of vigilant citizens restraining the government and the military ideal of unquestioning obedience to country begs a definition of what narrative of citizenship public schools endorse. A synthesis between the two theories has emerged combining assimilationist ‘heavy-handed patriotism’<sup>78</sup> with the moral education Jeffersonian theorists deemed vital to ‘the survival of republican institutions.’<sup>79</sup>

The final points of the scout oath seek to create a well-rounded young man by developing multiple faculties, similar to the YMCA’s fourfold plan and the ideal of the pioneer. The pioneer’s self-sufficiency was idealized in contrast to the wage earner’s specialization in one task and reliance on others to provide what he could not. President Roosevelt’s denouncement of the ‘over-civilized man’ weakened by the absence of a ‘strenuous life’ echoes the BSA’s desire to promote its members’ physical strength in the context of an increasingly sedentary lifestyle and the pioneer ideal. The BSA’s desire that scouts be ‘mentally awake’ was not based in intellectualism, considering the first BSA executive’s boast that ‘the Boy Scout was not “a puny, dull, or bookish lad,”’<sup>80</sup> but in a narrative of defining masculinity in a changing culture. The scoutmaster’s position in the exclusively male community of the Boy Scout troop makes him a ‘surrogate father’<sup>81</sup> and masculine role model as Tecumseh and Daniel Boone had been in the Woodcraft Indians and the Sons of Daniel Boone. The masculine role modeling performed by scoutmasters is a reaction to an increase in fathers working outside the home<sup>82</sup> in the nineteenth century and their replacement by women as ‘the primary providers of moral education.’<sup>83</sup>

Schools came to be viewed as feminine as gender roles changed with the shift toward men being employed outside the home. Puritan families would inculcate morality through

77 Kaestle, Pillars of the Republic, 98.

78 Kaestle, Pillars of the Republic, 55.

79 Kaestle, Pillars of the Republic, 8.

80 MacLeod, Building Character in the American Boy, 50

81 Mechling, Jay, On My Honor: Boy Scouts and the Making of American Youth (Chicago, IL, 2001), 229.

82 McClellan, Moral Education in America, 19.

83 McClellan, Moral Education in America, 15.

‘prayers, Bible-reading and psalm-singing’<sup>84</sup> with both parents acting in concert.<sup>85</sup> The increasing absence of the father from the home led to a shift in parental roles in moral education from a system where parents were ‘essentially interchangeable agents in moral education’<sup>86</sup> to one where the burden was assigned to the mother. Their increased role in the inculcation of morality led Americans ‘to ascribe to women special moral qualities’<sup>87</sup> that colored their perceptions of moral education<sup>88</sup> as feminine. An 1841 policy promoted hiring ‘male principals with female assistants’<sup>89</sup> as ‘the most economical as well as effective mode of instruction’<sup>90</sup> in public schools due to the ‘special moral qualities’ of women and a custom of paying female teachers between 40 and 62 percent of male teachers’ salaries.<sup>91</sup> Public schools’ devotion to moral education and an increase in female teachers to ‘70 percent of the precollegiate instructors nationwide’<sup>92</sup> led to a characterization of public schools as feminine. The BSA’s program of moral and intellectual development presented a masculine parallel to the efforts of the public schools and their connotations of femininity.

The BSA’s exclusion of women from the organization is rooted in its narrative of masculinity and a desire to have that narrative presented exclusively by male role models. The BSA has managed to avoid major litigation based on their exclusion of women and girls from membership by allowing women and older girls membership in selected roles. Women have been permitted to be adult leaders, called ‘scouters,’ in both the Boy Scouts and Cub Scouts, the BSA’s program for younger boys, since 1988<sup>93</sup> but they are not allowed to be the scoutmaster or

84 McClellan, Moral Education in America, 2.

85 McClellan, Moral Education in America, 4.

86 McClellan, Moral Education in America, 11.

87 McClellan, Moral Education in America, 12.

88 Ibid.

89 Kaestle, Pillars of the Republic, 124.

90 Ibid.

91 Kaestle, Pillars of the Republic, 123.

92 Kaestle, Pillars of the Republic, 125.

93 Mechling, On my Honor, 213.

its equivalent in Cub Scouts.<sup>94</sup> Young women are allowed to join a branch of the BSA known as Venture Scouts alongside young men, but they may not join the Boy Scouts.<sup>95</sup> Venture Scouts is the latest in a long line of programs designed to keep the interest of older boys who tend to lose interest in the mainstays of the Boy Scouts program by offering higher risk and more exotic activities.

Membership in Venture Scouts does not allow access to all opportunities for achievement because membership in Venture Scouts program does not confer membership in the Boy Scouts program. Only members of the Boy Scouts program can achieve the prestigious Eagle Scout rank.<sup>96</sup> The Eagle Scout rank is the ultimate rank in the Boy Scouts program representing ‘the all-round perfect scout’<sup>97</sup> and requiring service as a leader in the scout’s troop, achievement of a requisite number of merit badges and leadership demonstrated through the organization of a community service program. The Eagle rank is prestigious not because of the tasks required, which vary depending on the individual troop’s definition of leadership, but because of the notable men who have achieved the Eagle rank. The fraternity of Eagle Scouts includes President Gerald Ford, General William Westmoreland, thirty astronauts and four Nobel Laureates.

The gates of the Eagle fraternity are not only barred on a basis of gender, but the BSA’s definition of masculinity. BSA policy allows young women membership in Venture Scouts, not because they conform to the BSA’s definition of masculinity, but because a policy of excluding women for being women would be indefensible in court. The Jaycees, a group designed to instill ‘a spirit of genuine Americanism and civic interest’<sup>98</sup> in its members, had been the defendants in

94 Mechling, *On my Honor*, 212.

95 Ibid.

96 Ibid.

97 Project Gutenberg, *Boy Scout Handbook 1911*, 10 April 2010, 43.

98 Justice John Paul Stevens, *Boy Scouts of America v. Dale*, [http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0530\\_0640\\_ZD.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0530_0640_ZD.html), 10 April 2011.

*Roberts v. United States Jaycees*, a case brought to the Supreme Court in 1984 because of a conflict between the Jaycees' membership policy and the Minnesota Human Rights Act which 'made it unlawful to "deny any person the full and equal enjoyment of ... a place of public accommodation because of ... sex."' <sup>99</sup> Membership in the Jaycees was limited to 'males between the ages of 18 and 35,' <sup>100</sup> a policy that the Jaycees defended by claiming that 'applying the law to it violated their right to associate,' <sup>101</sup> with anyone who would not 'impose any serious burdens on the male members' freedom of expressive association.' <sup>102</sup>

The BSA would be brought to the Supreme Court to defend an exclusive membership policy regarding homosexual men. The BSA cannot have been unaware of *Jaycees*, as it 'filed *amicus* briefs before [the Supreme Court]' <sup>103</sup> in *Jaycees*, and defended their membership policy similarly. The BSA's exclusionary policy against homosexual men was the subject of *Boy Scouts of America, et al. v. Dale*, which was decided by the Supreme Court in 2000. Dale had originally filed suit against the BSA under a New Jersey 'public accommodations statute and its common law' <sup>104</sup> because the BSA revoked 'Dale's membership based solely on his sexual orientation.' <sup>105</sup> When the New Jersey State Supreme Court found the BSA in violation of the public accommodations law, the BSA challenged the ruling asserting that applying the public accommodations law 'violates the Boy Scouts' First Amendment right of expressive association.' <sup>106</sup> This assertion was based on the idea that Dale's 'homosexual conduct is

99 Stevens, *Boy Scouts of America v. Dale*,  
[http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0530\\_0640\\_ZD.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0530_0640_ZD.html), 10 April 2011.

100 Ibid.

101 Ibid.

102 Ibid.

103 Ibid.

104 US Supreme Court, *Boy Scouts of America v. Dale*,

[http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0530\\_0640\\_ZO.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0530_0640_ZO.html), 10 April 2011.

105 Ibid.

106 Ibid.

inconsistent with the values [the BSA] seeks to instill',<sup>107</sup> in young men, despite the Court's opinion that 'By all accounts, Dale was an exemplary Scout.'<sup>108</sup> The court's majority opinion found in favor of the BSA's assertion and allowed them to continue their exclusionary membership policy, ruling the Boy Scouts 'a distinctly private group exempted from coverage under New Jersey's law.'<sup>109</sup>

Justice John Paul Stevens' dissenting opinion in *Dale* argues that the BSA's membership policy regarding homosexuals is not in line with its expressed values. Justice Stevens quotes a 1991 BSA policy statement that homosexual conduct was 'inconsistent with the requirement in the Scout Oath that a Scout be morally straight and in the Scout Law that a Scout be clean in word and deed',<sup>110</sup> as the basis for his argument. Since *Dale* was decided, the BSA has issued a new version of their handbook, wherein they had the opportunity to clarify their policy regarding homosexuality. The 2010 handbook does not mention homosexuality in any way, discussing instead a scout's responsibilities to women, themselves, and their beliefs.<sup>111</sup> Justice Stevens' discussion of the handbook in use when *Dale* was being heard, points out how a scoutmaster was 'literally, the last person Scouts are encouraged to ask'<sup>112</sup> about sexual matters, a responsibility scoutmasters would be denied in the 2010 handbook.<sup>113</sup> The sections relating to 'a scout is clean' and 'morally straight,' the basis of the BSA's oral arguments in *Dale*, in the 2010 handbook discuss avoidance of 'profanity and pornography',<sup>114</sup> and urges the scout to 'Be clean in your

107 US Supreme Court, *Boy Scouts of America v. Dale*,  
[http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0530\\_0640\\_ZO.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0530_0640_ZO.html), 10 April 2011.

108 Ibid.

109 Ibid.

110 Stevens, *Boy Scouts of America v. Dale*,  
[http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0530\\_0640\\_ZD.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0530_0640_ZD.html), 10 April 2011.

111 The Boy Scouts of America, *Scout, the Boy Scout Handbook*, (Irving, Texas, 2009), 120.

112 Stevens, *Boy Scouts of America v. Dale*,  
[http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0530\\_0640\\_ZD.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0530_0640_ZD.html), 10 April 2011.

113 The Boy Scouts of America, *Scout, the Boy Scout Handbook*, 120.

114 The Boy Scouts of America, *Scout, the Boy Scout Handbook*, 25.

speech and actions,’<sup>115</sup> but do not mention homosexuality. In publishing a new edition of their handbook, the BSA created an opportunity to make explicit the message they claimed to be attempting to express, but chose to allow their heteronormative message remain implicit.

In attempting to create a nondenominational morality for inculcation in students, the school reformers of the nineteenth century set a normative tone for public schools that extended into the realm of sexual education. As with moral education, sexual education was ‘to supplement, not supplant, home instruction,’<sup>116</sup> though some objected, insisting ‘boys do not need “instruction”’<sup>117</sup> rather than ‘perverted tendencies need to be corrected’<sup>118</sup> and adolescent boys should ‘become absorbed in athletics’<sup>119</sup> and other activities in order to ignore sexual urges.<sup>120</sup> Though the initial messages of public school sexual education ‘was devoted to the dangers of “self abuse,”’<sup>121</sup> by 1981 standards would ‘discourage the discussion of “perversions.”’<sup>122</sup> most prominent among which was no longer masturbation, but homosexuality.<sup>123</sup> In their supplementary role to home sex education, public school curricula were designed ‘for the particular needs of [their] community,’<sup>124</sup> whose views have been in conflict between moral norms of ‘homosexuality as wrong’<sup>125</sup> and the ‘minority group status’<sup>126</sup> of homosexuals. Many

115 The Boy Scouts of America, *Scout, the Boy Scout Handbook*, 25.

116 Kirby, Douglass and Scales, Peter, *An Analysis of State Guidelines for Sex Education Instruction in Public Schools, Family Relations*, Vol. 30, No. 2 (Apr., 1981), 234.

117 Burling, James Perkins, *The Bible as Material for Sex Instruction*, *The Biblical World*, Vol. 43, No. 2 (Feb., 1914), 92.

118 Ibid.

119 Ibid.

120 Ibid.

121 Rosow, Kenneth and Persell, Caroline Hodges, *Sex Education from 1900 to 1920: A Study of Ideological Social Control*, *Qualitative Sociology*, Vol. 3 Issue 3 (Fall 1980), 193.

122 Kirby and Scales, *An Analysis of State Guidelines for Sex Education Instruction in Public Schools*, 230.

123 Ibid.

124 Kirby and Scales, *An Analysis of State Guidelines for Sex Education Instruction in Public Schools*, 231.

125 Loftus, Jeni. *America’s Liberalization in Attitudes toward Homosexuality, 1973 to 1998*, *American Sociological Review*, Vol. 66, No. 5 (Oct 2001), 778

126 Ibid.

protestant clergy are split between ‘prophetic concerns’<sup>127</sup> of ‘justice, rights, and equality’<sup>128</sup> and ‘pragmatic concerns about denominational conflict.’<sup>129</sup> Normative conflict within communities has impeded a consensus on sexual education.

The BSA’s choice to leave their exclusionary policy against homosexuals implicit may have been influenced by the structure of the BSA and the same conflicts that prevent consensus on sexual education. While nominally directed by the National Council, the BSA operates through a decentralized network, allowing local policies to reflect local needs. The essential unit of the BSA is the troop, supervised by scouters and lead by a scoutmaster. Each troop’s activities are approved by a group of volunteers separate from the scouters who supervise the troop’s activities, called the troop committee. One member from each troop committee is elected as a representative to the first supra-troop level of the BSA, the ‘council’. Councils organize activities involving multiple troops within a given area, maintain and operate a reservation used by troops in their region as well as an office and store. Multiple councils are organized into ‘districts,’ which report to the National Council. In practice, decisions are made at the lowest level of the organization possible, only coming to the attention of the next level if it cannot be solved at the lower level.

The decentralized nature of the BSA allows individual troops to vary in their practices. Each troop has its own customs and traditions, which may be unique, develop simultaneously in different troops, or be replicated through interaction between troops. Many of the symbols and narratives remain the same, but individual troops may adopt their own customs that distinguish them from other troops. The BSA’s interpretation of the scout law encouraging scouts to seek ‘to have [rules they believe are unfair] changed in an orderly way’<sup>130</sup> has been enacted by some

127 Olson, Laura R. and Cadge, Wendy, *Talking about Homosexuality: The views of Mainline Protestant Clergy*, *Journal for the Scientific Study of Religion*, Vol. 41, No. 1 (March 2002) 163.

128 Ibid.

129 Ibid.

130 The Boy Scouts of America, Scout, the Boy Scout Handbook, 25.



troops in ways that have caused difficulty for the National Council, notably when ‘individual troops...admitted gay members and girls because the members thought that this was the right thing for them to do for their group.’<sup>131</sup> While the National Council may censure troops that do not conform to their policies, the troops decide how the National Council’s policies will be enacted at a local level.

The normative nature of moral education allows for variations at a local level, confounding a universal endorsement or rejection of the BSA. The Merriam-Webster dictionary defines moral as ‘of or relating to principles of right and wrong in behavior’<sup>132</sup> thus, the purpose of moral education would be to inculcate those principles in order to direct students toward right behavior and away from wrong behavior. Merriam-Webster similarly defines a norm as ‘a principle of right action binding upon the members of a group and serving to guide, control, or regulate proper and acceptable behavior’<sup>133</sup> and within this definition is the crux of the difficulties in creating a universal moral curricula in the public schools or the BSA, the definition of norms by a group. Some groups believe one course of action to be right while others believe it wrong. The inculcation of a single moral system causes conflict between groups with differences in moral values. In some cases the venue through which moral education is delivered can generate a compromise, as the BSA did by allowing women and girls partial membership in its organization, but in other cases differences will cause a schism, as occurred with the creation of the Catholic parochial schools.

A group’s norms help to define the group’s identity through its behavior. Membership in many religious organizations requires adherence to the group’s codified norms as membership in the BSA requires adherence to the scout oath and law, though individual interpretations of those

<sup>131</sup> Mechling, *On my Honor*, 233.

<sup>132</sup> Merriam-Webster, Moral – Definition and More from the Free Merriam-Webster Dictionary, <http://www.merriam-webster.com/dictionary/moral>, (Accessed 30 April 2011).

<sup>133</sup> Merriam-Webster, Norms – Definition and More from the Free Merriam-Webster Dictionary, <http://www.merriam-webster.com/dictionary/norms?show=0&t=1304318537>, (Accessed 30 April 2011).

creeds may vary. The censure of members whose behavior is in violation of a creed<sup>134</sup> is the result of a dissonance between the norms of individual members and those members who codified the organizational norms. The norms represented in moral curricula may be heavily influenced by a creed, but is determined by the moral beliefs of the individual presenting the curricula. The determination of whether the moral curriculum of a group is compatible with an individual's moral values must be made on an individual basis. Thus, determining the appropriateness of interaction between the Boy Scouts of America and public school teachers must occur in the context of individual troop moral curricula, public school policy and the teacher's individual moral beliefs.

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